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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,678	11/04/2003	Akihito Kusano	012778-125	4925
21839	7590	11/29/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			BUTLER, DOUGLAS C	
POST OFFICE BOX 1404			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22313-1404			3683	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/699,678	KUSANO, AKIHITO	
	Examiner	Art Unit	
	Douglas C. Butler	3683	<i>MW</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 04 November 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1-3,5-14 and 16-21 is/are allowed.

6) Claim(s) 4,15 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input checked="" type="checkbox"/> Other: <u>Attachment A</u>

DETAILED ACTION

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. The submitted IDS has been considered. A copy of applicant-submitted Form PTO-1449 is enclosed.
3. The examiner has reviewed all applications currently in the IFW system (See Attachment A) available to the examiner and finds no conflict between the subject matter of the instant claims and the applications in Attachment A.
4. Claims 1-3, 5-14 and 16-21 are allowed.
5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claims 4 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is no clear antecedent basis in the claims for "the other one port" of claim 4, line 4 and of claim 15, line 4.

7. Note Refs. A-E listed on Form PTO-892.
8. Claims 4 and 15 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
9. Any inquiry concerning this communication should be directed to Exmr Butler at telephone number (703) 308-2575.

Art Unit: 3683

Douglas C. Butler
PRIMARY EXAMINER
11/24/04

AU3683

Butler/vs
November 23, 2004

Patent No.	App. No.	Patent No.	Grants	Date Filed	Inventor Name	Title
09/452721	6247762	150	12/03/1999	KUSANO, AKIHIKO	VEHICLE BRAKING SYSTEM WITH A STROKE SIMULATOR AND A SERVO DEVICE	
09/580431	6290310	150	05/30/2000	KUSANO, AKIHIKO	BRAKE PRESSURE CONTROL DEVICE FOR AUTOMOTIVE VEHICLES	
09/842849	6685278	150	04/27/2001	KUSANO, AKIHIKO	BRAKE CONTROL DEVICE FOR A VEHICLE	
09/886736	6585332	150	11/09/2001	KUSANO, AKIHIKO	BRAKE CONTROL DEVICE FOR A VEHICLE	
10/092495	6641233	150	03/08/2002	KUSANO, AKIHIKO	HYDRAULIC BRAKE APPARATUS FOR A VEHICLE	
10/105425	6704094	150	03/26/2002	KUSANO, AKIHIKO	BRAKING PRESSURE GENERATING APPARATUS FOR A VEHICLE	
10/108415	6672685	150	03/29/2002	KUSANO, AKIHIKO	BRAKE STROKE SIMULATOR AND A VEHICLE HYDRAULIC BRAKE APPARATUS PROVIDED WITH THE SAME	
10/190828	6641231	150	07/09/2002	KUSANO, AKIHIKO	HYDRAULIC BRAKE APPARATUS FOR A VEHICLE	
10/194065		041	07/15/2002	KUSANO, AKIHIKO	Hydraulic braking pressure generating apparatus for a vehicle and a hydraulic brake device for a vehicle including a hydraulic braking pressure generating apparatus	
10/244756	6705682	150	09/17/2002	KUSANO, AKIHIKO	HYDRAULIC BRAKE APPARATUS FOR A VEHICLE	
10/279871	6728698	150	10/25/2002	KUSANO, AKIHIKO	HYDRAULIC BRAKE DEVICE FOR VEHICLE	
10/374061		041	02/27/2003	KUSANO, AKIHIKO	Vehicle brake hydraulic pressure generator	
10/374062		041	02/27/2003	KUSANO, AKIHIKO	Vehicle brake hydraulic pressure generator	
10/374970		041	02/28/2003	KUSANO, AKIHIKO	Vehicle brake hydraulic pressure generator	
10/375352	6789857	150	02/28/2003	KUSANO, AKIHIKO	VEHICLE BRAKE HYDRAULIC PRESSURE GENERATOR	
10/409122	6796125	150	04/08/2003	KUSANO, AKIHIKO	MASTER CYLINDER	
10/437970		041	05/15/2003	KUSANO, AKIHIKO	Hydraulic brake system for vehicles	
10/439018	6709072	150	05/15/2003	KUSANO, AKIHIKO	HYDRAULIC BRAKE SYSTEM FOR VEHICLES	
10/693993		041	10/28/2003	KUSANO, AKIHIKO	Hydraulic brake apparatus for a vehicle	
10/699878		030	11/04/2003	KUSANO, AKIHIKO	Hydraulic brake apparatus for a vehicle	
10/801587		041	03/17/2004	KUSANO, AKIHIKO	Hydraulic brake apparatus for a vehicle	
10/801649		030	03/17/2004	KUSANO, AKIHIKO	Vehicle hydraulic brake device	
10/807351		030	03/24/2004	KUSANO, AKIHIKO	Vehicle hydraulic brake device	
10/808378		041	03/25/2004	KUSANO, AKIHIKO	Vehicle hydraulic brake device	
10/808471		030	03/25/2004	KUSANO, AKIHIKO	Vehicle hydraulic brake device	
10/826332		030	04/19/2004	KUSANO, AKIHIKO	Master cylinder with a braking stroke simulator	
10/840627		030	05/07/2004	KUSANO, AKIHIKO	Braking stroke simulator	

Attachment A